

SKAPIK LAW GROUP

Mark J. Skapik (SBN 164957)
Geraldyn L. Skapik (SBN 145055)
Blair J. Berkley (SBN 222293)
Matthew T. Falkenstein (SBN 333302)
5861 Pine Avenue, Suite A-1
Chino Hills, California 91709
Telephone: (909) 398-4404
Facsimile: (909) 398-1883
Email: mskapik@skapiklaw.com, gskapik@skapiklaw.com,
bberkley@skapiklaw.com, mfalkenstein@skapiklaw.com

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

DAMON “DAVID” WOOD, an
individual,

Plaintiff,

vs.

CITY OF SAN BERNARDINO, a
municipal corporation; OFFICER
RUTHERFORD, an individual; OFFICER
TUBBS, an individual; OFFICER
KOEHN, an individual; OFFICER OH, an
individual; and DOES 5-10, inclusive,

Defendants.

Case No. 5:23-cv-00925 JAK (ASx

[District Judge John A. Kronstadt]

[Magistrate Judge Alka Sagar]

**NOTICE OF CONDITIONAL
SETTLEMENT AND STIPULATION
TO VACATE ALL DATES AND
DEADLINES**

TO THE HONORABLE COURT:

PLEASE TAKE NOTICE in accordance with L.R. 16-15.7 and L.R. 40-2 that the parties have reached a settlement of this entire case for a specified amount. The settlement is between Plaintiff DAVID “DAMON” WOOD, by and through his undersigned counsel, and Defendants CITY OF SAN BERNARDINO, OFFICER RUTHERFORD, OFFICER TUBBS, OFFICER KOEHN, and OFFICER OH (collectively, “DEFENDANTS”) and is conditioned only upon final approval of the settlement by the San Bernardino City Council.

1 Upon finalization of the settlement, the entire remaining case and the remaining
2 Defendants shall be dismissed with prejudice.¹ Finalization is expected to occur within
3 120 days. The parties intend to file a Stipulation for Dismissal of the Complaint with
4 Prejudice within 10 days of receipt of the settlement funds.

5 Thus, the parties request and hereby stipulate that all hearing dates and
6 deadlines be vacated and that all proceedings be stayed pending finalization of the
7 settlement. Further, the parties request an order that by March 31, 2025, the parties shall
8 file either (1) a stipulation and order for dismissal, or (2) a joint status report regarding
9 settlement.

10 SKAPIK LAW GROUP

11
12 Dated: November 21, 2024

By: /s/ Matthew T. Falkenstein
Mark J. Skapik
Blair J. Berkley
Matthew T. Falkenstein²
Attorneys for Plaintiff
DAMON "DAVID" WOODS

13
14
15
16
17
18 Dated: November 21, 2024

LAWRENCE BEACH ALLEN & CHOI, PC

19
20 By: /s/ Aamir Raza
Paul B. Beach
Aamir Raza
Attorneys for Defendant
CITY OF SAN BERNARDINO

21
22
23
24
25 ¹ Prior Defendants County of San Bernardino, Shannon D. Dicus, Robert Trostle, and
26 Gerald Davenport have been dismissed previously. Dkt. No. 62.

27 ² I, Matthew T. Falkenstein, hereby attest that all other signatories listed below, and on
28 whose behalf this filing is submitted, concur in this filing's content and have authorized
the filing.